

To: Johnson, Kathleen[Johnson.Kathleen@epa.gov]
From: Diamond, Jane
Sent: Sat 11/22/2014 1:37:25 AM
Subject: BDCP Policy meeting 2 proposed agenda

It's getting late and I'm not at my best, but here's a start. My schedule on Monday is bad until 3:00-3:30, and then again 4:00 on (but I have Jared 3:30-4:00), but let me know if we need to talk and I'll make time. Or I have lots of time on Tuesday and we could talk first thing. Thanks, Jane

Laura, based on feedback from our team regarding the first technical meetings, we suggest the following topics be on the agenda for the Dec. 1 policy meeting #2 on the BDCP, which Kathleen Johnson, Jane Diamond and Tom Hagler will attend from EPA.

Of the topics you originally identified, below, we believe our focus should be on the ones highlighted in red. The others can be quick updates.

- EPA concern that modeling shows persistent violations of water quality standards in the Delta related to salinity and chloride.

- EPA concern that project would worsen water quality for users who divert water directly from the Delta, including increasing bromide around the North Bay Aqueduct intake at Barker Slough

- EPA concerned that CM1 operations would not protect beneficial uses for aquatic life, thereby violating the Clean Water Act.

- EPA is concerned about how the Rio Vista minimum flows will be met and how the State Board's current process for revisions to the WQCP has been integrated into the BDCP.

- EPA concerned that, in some cases, different NEPA effects determinations are provided for similar analyses and some NEPA conclusions were not provided.

- EPA is concerned that the BDCP does not include adequate description of detailed monitoring and management activities to support adaptive management, which should be consistent with current state and federal programs.

In addition, we didn't receive notes from Policy meeting #1 held on October 29, but based on our notes, we suggest the following agenda items:

- Review status of follow up items from the October 29 meeting.

- At the October 29 meeting, the State indicated that it would not be addressing in the Supplemental the topic of ground water use changes resulting from surface water delivery changes and EPA's suggestion of including a mitigation measure for groundwater management in the southern San Joaquin Valley, because of the recently enacted State ground water legislation. We would like to discuss having a description in the Supplemental of how this and other new legislation and policies related to the project objectives and impacts.

Jane Diamond

Water Director, EPA Region 9

415-947-8707